Application Number		Applicant(s)/Patent under Reexamination DELUCA ET AL.				
Document Code - DISQ	Internal Document – DO NOT MAIL					
TERMINAL DISCLAIMER	⊠ APPROVED	☐ DISAPPROVED				
Date Filed : December 27, 2007	This patent is subject to a Terminal Disclaimer					
Approved/Disapproved by:						
Henry D. Jefferson	·					

U.S. Patent and Trademark Office

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			25-Feb-08	APPL. S. N:	10635862			
To Exan	niner:		GILES, NICHOLAS	Art Unit	2622			
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68			
SUBJEC	T: Decisio	on on Terminal	Disclaimer(T.D.) filed:					
form pa or have	ragraphs i any quest	identified by th tions, please se	is informal memo in your next se me or the Special Program I	results as set forth below. If you a Office action to notify applicant o Examiner. THIS IS AN INFORMAL, F RECORD IN THE APPLICATION F	f the T.D. If you disagree			
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Y	The T.D.	is PROPER and	d has been recorded (see 14.2	23).	•			
	The T.D.	is NOT PROPE	R and has not been accepted	for the reason(s) checked below (see 14.24):			
		The TD fee of use of a depo	· · · · · · · · · · · · · · · · · · ·	tted nor is there any authorization	in the application file for the			
		his/her intere		ne person who has signed the T.D terest of the business entity repre 6.01).				
	Ė.		s the enforceable only during o ing rejection, Rule 321(b) (see	common ownership clause – neede e 14.27.01).	ed to overcome a non-statutory			
	Γ	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).						
		The person w	ho signed the T.D.:	• '				
	•	is no	ot an attorney "of record" (see	14.29 and 14.29.01).				
		has	failed to state his/her capacity	to sign for the business entity (se	ee 14.28).			
		is no	ot recognized as an officer of t	he assignee (see 14.29 & possible	14.29.02).			
		nor is the ree (see 37 CFR 3	and frame number specified a 3.73(b) and 1140 O.G. 72). NO	from the original inventor(s) to a as to where such evidence is reco DTE: This documentary evidence o in a separate paper of record in th	rded in the Office r the specifying of the reel and			
		The T.D. is no	t signed (see 14.26 & 14.26.0	3).	•			
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).						
	<u> </u>	The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).						
		The period dis	claimed is incorrect or not spe	ecified (see 14.26, 14.27.02 or 14	.26.03).			
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I have a	ppropriate	ely notified app	licant(s) of the status of the T	erminal Disclaimer filed in this cas	se.			
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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING	Docket Number (Optional)					
REJECTION OVER A PENDING "REFERENCE" APPLICATION	FN101-CIP-US					
In re Application of: Michael J. DeLuca, et al.						
Application No.: 10/635,862						
Filed: August 5, 2003						
For: DETECTING RED EYE FILTER AND APPARATUS USING META-DATA						
The owner*, FotoNation Vision Limited , of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/635,918 , filed on August 5, 2003 , as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.						
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
2. The undersigned is an attorney or agent of record. Reg. No. 43,132						
/Andrew Vernon Smith/	December 27, 2007					
Signature	Date					
Andrew V. Smith						
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